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the most appropriate) response to what *is actually happening* on the ground: globalisation, fragmentation of international law, verticalisation of its organisation, and privatisation of previously public (state) functions, all this in a clearly pluralist legal environment. The authors have resolved to offer the constitutionalist response to these developments, and they have elected a unique way for doing so: not through an edited collection, nor through a typical co-authored book, but rather through a book that was “conceived and written as a joint undertaking” (vi), yet a book where each chapter bears the name (and the distinctive style) of its author.

The outcome reads surprisingly well—the book is coherent, despite the aforementioned distinctive styles and despite the wide variance in the length of the various chapters (Anne Peters, for example, has written more than half the book in terms of pages, even though she is responsible for only two substantive chapters and the conclusions), and the argument is tight and provocative. The book is structured in six substantive chapters and a concluding chapter. The first chapter (Klabbers) “sets the scene” in a particularly helpful manner, explaining what the authors actually mean by “constitutionalization” and what current problems the concept is supposed to help international law respond to, all the while defining and linking together every term used. Chapter 2 (Ulfstein) deals with the international institutional aspect, complemented by chapter 4 (Ulfstein) which focuses on the international judiciary, while chapters 3 (Klabbers) and 5 (Peters) could be summarised as dealing with a constitutionalist view of the sources and the subjects of international law. Chapter 6 (Peters) picks democracy as the one substantive aspect of the global constitutionalist endeavour that merits special examination, justifying the choice on the basis that democracy is most conspicuously absent in international law, as compared to, for example, the rule of law.

Chapter 7 (Peters) concludes the book, taking up challenges to the international constitutionalist project and responding to them, underlining the central thesis of the book that the “constitutionalization” of international law is a method of inquiry, a way to highlight deficiencies in the international legal system, and a normative agenda for international law’s future development. In so doing, it provides a fitting ending to this coherent book whose well structured argument keeps the reader engaged throughout the almost 400 hundred pages, and which helps put the whole constitutionalist debate in international law in clear perspective.

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THE MANUAL ON INTERNATIONAL COURTS AND TRIBUNALS. Ed by Ruth Mackenzie, Cesare Romano and Yuval Shany, with Philippe Sands

Oxford: Oxford University Press (www.oup.com), 2010. xxvi + 547 pp. ISBN 9780199545278. £95.

The introduction to this book describes four different phases in the development of international dispute settlement. Early in the history of this subject, most international disputes were settled between states themselves or submitted to *ad hoc* bodies created for the sole purpose of settling a particular dispute. The second phase started with the establishment of the Permanent Court of Arbitration in 1899. At this time, states recognized the need for a standing body which was available to settle international disputes peacefully. The end of the second world war marked the beginning of the third phase when the number of international courts and tribunals gradually expanded. They included general courts, such as the International

Court of Justice, as well as specialist courts and tribunals dealing with specific areas of international law, such as trade, investment and human rights. In the fourth phase, starting in the 1990s, a number of judicial bodies were created with compulsory jurisdiction, such as the International Tribunal for the Law of the Sea and the World Trade Organization's dispute settlement system. As a result, today we have a patchwork of institutions which are potentially available to settle international disputes.

The purpose of the *Manual on International Courts and Tribunals* is to map out the various courts and tribunals involved in international dispute settlement in order to provide a reliable source of basic information concerning their composition and procedures. It has been prepared by a group of experts acting within the framework of the Project on International Courts and Tribunals (<http://www.pict-pcti.org>). The Manual is designed to provide easily accessible information aimed at academics, journalists, practitioners, and legal advisers, in particular from developing countries and non-governmental organizations.

The Manual is divided into seven themed sections covering global courts; arbitration institutions; international criminal courts and tribunals; regional economic integration bodies; human rights bodies; inspection, review and compliance mechanisms in international financial institutions; and compliance procedures in multilateral environmental agreements. As can be seen from this list, despite its title, the Manual is by no means confined to international courts and tribunals. Rather, it discusses a range of dispute settlement mechanisms. For instance, the compliance mechanisms in Multilateral Environmental Agreements considered in section seven of the Manual are not in any sense judicial institutions. Rather they are designed to incorporate political judgments into the dispute settlement process, allowing contracting parties to respond pragmatically and flexibly to breaches of environmental treaties. Nor can the inspection, review and compliance mechanisms of the international financial institutions be truly classified as courts or tribunals, but, as the Manual asserts, "they offer an opportunity for communities or persons adversely affected by projects financed by development banks to hold those institutions to account" (461). Given the important role that these institutions play in dispute settlement, they therefore warrant inclusion in the Manual.

The Manual is structured so that the same basic information is presented in each chapter. Generally, each chapter describes the composition of a particular institution, and gives a description of its jurisdiction and its procedures, and a short evaluation of its efficiency and effectiveness. One theme that arises throughout the Manual is transparency. This is not surprising given that non-governmental organizations are one of the target audiences. It is clear that the record of international courts and tribunals on this issue is mixed. Whilst the International Court of Justice (ICJ) sits in public and all of its decisions are published, there are limited opportunities in practice for non-parties to participate in the proceedings of the ICJ. The chapter on the World Trade Organization (WTO), on the other hand, notes that transparency has been "one of the major bones of contention among WTO members" (96). Whilst some progress has been made on this issue in the WTO, this has largely been as a result of the parties in particular cases consenting to greater transparency. There has been no agreement at the institutional level on this key issue. Progress has been made in other fora, however. For instance, the arbitration rules of the International Centre for Investment Disputes (ICSID) were amended in 2006 to allow for greater participation of non-disputing parties in ICSID proceedings. Such initiatives are generally to be welcomed. However, as the Manual also reminds us, lack of transparency can also be a reason why claimants choose a particular dispute settlement option. Noting the increasing trend for investment disputes to be submitted to arbitration under the auspices of the Permanent Court of Arbitration (PCA), the Manual suggests that "the fact that PCA-administered proceedings may be confidential, unless the parties agree otherwise, may be an attraction for certain disputants, but might be

of concern to those who would wish to see a greater degree of transparency in the field of investment arbitration” (122).

The Manual is a reference book. It presents basic information about the most significant international dispute settlement mechanisms in existence today. However, anyone wanting a more in-depth understanding of a particular dispute settlement mechanism or a more thorough analysis of the practice of courts and tribunals will not find everything they want in this book. To assist them, however, the Manual helpfully provides a succinct bibliography of more further materials at the end of each chapter. It therefore provides a good starting point for any non-specialist with an interest in the work of various international dispute settlement institutions.

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